

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MAURICE JONES,

Petitioner,

No. 10-CV-10043

vs.

Hon. Gerald E. Rosen

GREGORY McQUIGGIN,

Respondent.

_____ /

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION, GRANTING
RESPONDENT'S MOTION FOR SUMMARY JUDGMENT, AND
DISMISSING PLAINTIFF'S HABEAS CORPUS ACTION

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 13, 2011

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the November 16, 2010 Report and Recommendation of United States Magistrate Judge Paul J. Komives recommending that the Court grant Respondent's motion for summary judgment that this case, accordingly, be dismissed; and Petitioner having timely filed Objections; and the Court having reviewed the Magistrate Judge's Report and Recommendation, Petitioner's Objections, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Respondent's motion for summary judgment should be granted; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of November 16, 2010 [Dkt. # 12] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Respondent's Motion for Summary Judgment [Dkt. # 8] is GRANTED. Accordingly,

IT IS FURTHER ORDERED that Plaintiff's petition for habeas corpus relief [Dkt. # 1] be, and hereby is DENIED and the above-captioned case, therefore, is DISMISSED.

IT IS FURTHER ORDERED that for the reasons stated in the Report and Recommendation, the Court will DENY a certificate of appealability.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: January 13, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 13, 2011, by electronic mail and upon Maurice Jones, #160361, Chippewa Correctional Facility, 4269 West M-80, Kincheloe, MI 49784 by ordinary mail.

s/Ruth A. Gunther
Case Manager